

ELEVENTH CIRCUIT TRANSCRIPT ORDER FORM
Provide all required information and check the appropriate box(es)

PART I. Transcript Information

*Within 14 days of the filing of the notice of appeal, the appellant **must** complete Part I and file this form in **two places**: the District Court **AND** the Court of Appeals for all cases. 11th Cir. R. 10-1.*

Case Information:

Short Case Style: Kenneth Eugene Smith vs Commissioner, Alabama Department of Corrections, et al.
District Court No.: No. 2:23-cv-00656 Date Notice of Appeal Filed: Jan. 10, 2024
Court of Appeals No. (if available): No. 24-10095-P

Transcript Order Information:

☐ No hearing ☐ No transcript is required for appeal purposes ☒ All necessary transcript(s) already on file
☐ I am ordering a transcript of the following proceedings:

HEARING DATE(S) / JUDGE/MAGISTRATE / COURT REPORTER NAME(S)

☐ Pre-Trial Proceedings _____
☐ Trial _____
☐ Sentence _____
☐ Plea _____
☐ Other _____

Criminal Appeals:

In a criminal appeal, if the appellant pleaded guilty and intends to raise an issue regarding the guilty plea, the record must include a transcript of the guilty plea colloquy, and if the appellant intends to raise an issue regarding the sentence, the record must include a transcript of the sentencing hearing. ***If such transcripts are not ordered, you must check the appropriate box(es) below:***

Transcript of Guilty Plea Colloquy

☐ A transcript of the guilty plea colloquy is already on file.
☐ A transcript of a guilty plea colloquy is not being ordered and is not already on file, and I certify that no issue regarding a guilty plea will be raised in a merits brief in this appeal.

Transcript of Sentencing Hearing

☐ A transcript of the sentencing hearing is already on file.
☐ A transcript of the sentencing hearing is not being ordered and is not already on file, and I certify that no issue regarding sentencing will be raised in a merits brief in this appeal.

Note: Counsel who seek leave to withdraw pursuant to *Anders v. California*, 386 U.S. 738 (1967), must ensure the record contains transcripts of all relevant proceedings. See 11th Cir. R. 27-1(a)(8).

☒ I certify that I have made satisfactory arrangements with the Court Reporter(s) for paying the cost of the transcript(s).

☐ Criminal Justice Act: My completed AUTH-24 for government payment of transcripts has been uploaded in eVoucher and is ready for submission to the magistrate judge or district judge [if appointed by the district court] or to the circuit judge [if ordered by or appointed by the circuit court]. [A transcript of the following proceedings will be provided ***only if specifically authorized*** in Item 13 on the AUTH-24: Voir Dire; Opening and Closing Statements of Prosecution and Defense; Prosecution Rebuttal; Jury Instructions.]

Ordering Counsel/Party: Robert M. Grass/Counsel for Kenneth Eugene Smith

Address: Arnold & Porter Kaye Scholer LLP, 250 West 55th Street, New York, NY 10019

E-mail: robert.grass@arnoldporter.com Phone No.: 212-836-8064

☐ **I certify that I have completed and filed Part I with the District Court AND the Court of Appeals, served all parties, AND sent a copy to the appropriate Court Reporter(s) if ordering a transcript. 11th Cir. R. 10-1.**

Date: 1/12/2024 Signature: Robert Grass Digitally signed by Robert Grass
Date: 2024.01.12 13:59:42 -05'00' Attorney for: Kenneth Eugene Smith

PART II. Court Reporter Acknowledgment

*Within 14 days of receipt, the Court Reporter **must** complete this section, file this form with the District Court, AND send a copy of this form to the Court of Appeals and all parties. The transcript must be filed within 30 days of the date satisfactory arrangements for paying the cost of the transcript were made unless the Court Reporter obtains an extension of time to file the transcript.*

Date Transcript Order received: _____

☐ Satisfactory arrangements for paying the cost of the transcript were made on: _____

☐ Satisfactory arrangements for paying the cost of the transcript have not been made.

No. of hearing days: _____

Estimated no. of transcript pages: _____

Estimated filing date: _____

☐ **I certify that I have completed and filed Part II with the District Court AND sent a copy of this form to the Court of Appeals and all parties.**

Date: _____ Signature: _____ Phone No.: _____

PART III. Notification That Transcript Has Been Filed In District Court

*On the date the transcript is filed in the district court, the Court Reporter **must** complete this section, file this form with the District Court, AND send a copy of this form to the Court of Appeals.*

☐ **I certify that the transcript has been completed and filed with the district court on (date): _____ AND that I have sent a copy of this form to the Court of Appeals.**

Date: _____ Signature: _____